

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

Civil No. 06-5035

\$13,390.00 IN UNITED STATES CURRENCY
FROM ARVEST ACCOUNT# ---8573;

\$40,764.35 IN UNITED STATES CURRENCY
FROM ARVEST ACCOUNT# ---1172,

AND

\$151,000.00 IN UNITED STATES CURRENCY
FROM MERRILL LYNCH ACCOUNT# ---6596
Defendants.

DECREE OF FORFEITURE

On February 24, 2006, a Verified Complaint of Forfeiture was filed on behalf of the plaintiff, United States of America, against the defendant currency. The complaint alleges that the defendant currency is subject to forfeiture pursuant to (A) 18 U.S.C. § 981(a)(1)(A) as it constitutes property involved in a financial transaction in violation of 18 U.S.C. § 1341, which represents proceeds of some form of unlawful activity, with the intent to obtain money by means of promoting the carrying on of specified unlawful activity, or knowing that the transaction is designed in whole or part to conceal the nature of the proceeds of specified unlawful activity; and/or (B) 18 U.S.C. § 981(a)(1)(D) for forfeiture of currency which represents or is traceable to the gross receipts obtained from a violation of 18 U.S.C. § 1341.

It appearing that process was fully issued in this action and returned according to law:

1. That pursuant to a Warrant for Arrest issued by the Court, the United States Marshal for this district seized said currency on March 7, 2006.

2. On March 31, 2006, James Hackett and Lisa Hackett received personal service by the United States Marshal through their attorney, Dale Casto. A verified claim of ownership was filed on their behalf on April 28, 2006. An answer to the Verified Complaint of Forfeiture was filed on their behalf on May 17, 2006.

3. On March 30, April 6, and 13, 2006, notice of this action was published in the Arkansas Democrat Gazette (Northwest Arkansas Edition) Newspaper. No other claims have been filed.

4. The defendant currency is more particularly described as:

- a. \$13,390.00 in United States Currency
From Arvest Account# ----8573;
- b. \$40,764.35 in United States Currency
From Arvest Account# ----1172, and
- c. \$151,000.00 in United States Currency
From Merrill Lynch Account# ----6596

IT IS HEREBY ORDERED, DECREED, and ADJUDGED that:

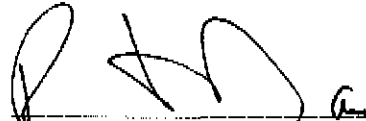
(1) Pursuant to the agreement of the parties, \$32,000.00 from the Arvest Account#----1172 containing \$40,764.35 at time of seizure shall be released to the United States District Court, who shall apply said funds in equal amounts towards payment of the fines imposed in the case of United States v. Lisa A. Hackett and James R. Hackett, Criminal No. 5:06CR50002.

(2) The balance of Arvest Account# ----1172, which is \$8,764.35, as well as the \$13,390.00 from Arvest Account #----8573 and the \$151,000.00 from Merrill Lynch Account ----

6596 is hereby forfeited to the United States of America to be disposed of according to law after deducting its costs of this action.

(3) That pursuant to 28 U.S.C. § 2465, reasonable cause existed for the seizure of the defendant currency.

IT IS SO ORDERED this 17th day of August, 2006.



HONORABLE ROBERT T. DAWSON
UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ David R. Ferguson, Assistant United States
Attorney for Plaintiff, United States of America

/s/ Dale Casto, Attorney for Claimants,
James and Lisa Hackett